

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of Friday, October 3, 2014

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Chairperson Montgomery, Commissioner Callisto and Commissioner Nowak.

Minutes

The Commission approved the minutes of the open meeting of Thursday, September 25, 2014.

137-CE-170 – Application of American Transmission Company LLC to Reconstruct an Existing 69 kV Transmission Line from the Dam Heights Substation in the City of Prairie Du Sac, Sauk County, to the Portage Substation in the City of Portage, Columbia County, Wisconsin, also known as Y16, and Reconstruct an Existing 69 kV Transmission Line from the Montello Substation in the City of Montello, Marquette County, to the Wautoma Substation in the City of Wautoma, Waushara County, Wisconsin, also known as Y17 (collectively known as the Y16-Y17 69 kV Rebuild Project)

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

4220-EA-135 – Application of Northern States Power Company-Wisconsin for Authority to Abandon and Sell Certain Substation Facilities in the City of La Crosse, La Crosse County, Wisconsin

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

6650-CG-242 – Application of Wisconsin Gas LLC, as a Gas Public Utility, for Authority to Construct Facilities and Provide Gas Service in the Town of Browning, Taylor County, Wisconsin

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

3120-WR-105 – Application of Lena Municipal Water and Sewer Utility, Oconto County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

3270-GF-101 – Madison Gas and Electric Company's Electric Risk Management Procurement Program

The Commission approved the Order to Reopen and Request for Comments and directed it be signed by the Secretary to the Commission on behalf of the Commission.

3270-GF-103 – Request by Madison Gas and Electric Company for Approval to Implement Additional Hedging Activity in its Natural Gas Procurement Risk Management Program which was Approved Under Amended Order in Docket 3270-UR-109

The Commission approved the Order to Reopen and Request for Comments and directed it be signed by the Secretary to the Commission on behalf of the Commission.

6630-GP-117 – Wisconsin Electric Power Company Gas Supply Plan for the Period Beginning November 1, 2014

The Commission approved the gas supply plan filed on behalf of Wisconsin Electric Power Company-Gas Operations for the period beginning November 1, 2014, with the exception of the de-rate to the LNG peaking plant.

The Commission directed the Gas and Energy Division to draft an order consistent with its decision.

6650-GP-117 – Wisconsin Gas LLC Gas Supply Plan for the Period Beginning November 1, 2014

The Commission approved the gas supply plan filed on behalf of Wisconsin Gas LLC for the period beginning November 1, 2014.

The Commission directed the Gas and Energy Division to draft an order consistent with its decision.

2535-CE-100 – Application of Highland Wind Farm, LLC, for a Certificate of Public Convenience and Necessity to Construct a 102.5 Megawatt Wind Electric Generation Facility and Associated Electric Facilities, to be Located in the Towns of Forest and Cylon, St. Croix County, Wisconsin

The Commission determined that it would issue an Order to Reopen and Request for Comments to consider modification of order point 29 of its Final Decision on Reopening, dated October 25, 2013, to extend the deadline for commencement of construction of this project.

The Commission directed the Order to Reopen and Request for Comments be signed by the Secretary to the Commission on behalf of the Commission.

6075-WI-100 – Investigation on the Commission’s Own Motion of Van Woods Estates Waterworks, Kenosha County, Wisconsin, into Numerous Compliance Issues

The Commission discussed this matter and determined that an order shall be issued under Wis. Stat. § 196.81 for the abandonment of the Van Woods Estates Waterworks (Van Woods) as a public water utility, subject to the following conditions:

1. Van Woods shall continue to operate as a public water utility until December 31, 2014;
2. Van Woods shall continue to operate in compliance with all Wisconsin Department of Natural Resources (DNR) requirements and shall fix any existing main breaks within 15 days of the effective date of the final order issued in this matter;
3. After December 31, 2014, Van Woods shall abandon its facilities in compliance with all DNR requirements and any other applicable local, state or federal requirements, and these abandonment activities shall include abandoning a third “corner easement” well and an unused, buried pressure tank located on the same site as the “corner easement” well;
4. After abandonment is completed, the Commission delegated to the Administrator for the Division of Water, Compliance and Consumer Affairs the authority to examine whether the Commission should direct Van Woods to dispose of any remaining assets and require any proceeds to be returned to the customers;
5. If Van Woods fails to comply with the conditions imposed by the Commission in granting Van Woods’ request for abandonment, Van Woods shall be referred to the Wisconsin Department of Justice for enforcement of the order and forfeitures.

The Commission directed the Division of Water, Compliance and Consumer Affairs to draft an order consistent with its discussion.

The Commission further directed that a letter be drafted and mailed to Van Woods’ remaining customers indicating the preliminary determinations made and urging them to take corrective action as soon as possible. The letter should also include information relating to financial assistance that may be available.

9400-YO-100 – Application of Wisconsin Energy Corporation for Approval to Acquire the Outstanding Common Stock of Integrys Energy Group, Inc.

5-CE-142 – Joint Application of American Transmission Company LLC and Northern States Power Company-Wisconsin, as Electric Public Utilities, for Authority to Construct and Operate a New Badger-Coulee 345 kV Transmission Line from the La Crosse Area, in La Crosse County, to the Greater Madison Area in Dane County, Wisconsin

137-CE-166 – Application of American Transmission Company, as an Electric Public Utility, for Authority to Construct and Place in Service Facilities for the Proposed North Appleton to Morgan (Bay Lake) Project, including Expanding the 345/138 kV North Appleton Substation Located in Outagamie County, Wisconsin; New 138 kV and 345 kV Transmission Lines from the Expanded North Appleton Substation to an Expanded Morgan Substation in Oconto County, Wisconsin; and Associated Substation Facilities in Brown, Kewaunee, Marinette, Oconto, Outagamie, Shawano, and Winnebago Counties, Wisconsin, and Dickinson County, Michigan

The Commission approved a compromise schedule in docket 9400-YO-100 and determined that it would discuss the record in this docket no later than March 20, 2015.

Commissioner Callisto dissented.

The Commission affirmed the schedule in docket 5-CE-142 as set forth in the Prehearing Conference Memorandum and determined that it will discuss the record in docket 5-CE-142 at an open meeting to be scheduled no later than April 2, 2015.

Commissioner Callisto dissented.

The Commission affirmed the schedule in docket 137-CE-166 as set forth in the Scheduling Order and determined that it will discuss the record in docket 137-CE-166 at an open meeting to be scheduled no later than April 17, 2015.

Commissioner Callisto dissented.

The Commission directed the Gas and Energy Division to draft orders in each of these dockets consistent with its discussion.

CLOSED SESSION – The Commission recessed the open meeting, went into closed session under Wis. Stat. § 19.85(1)(g) to discuss the litigation matters noted below with legal counsel, and reconvened the open meeting pursuant to Wis. Stat. § 19.85(2).

Commissioner Callisto moved, pursuant to Wis. Stat. § 19.85(1)(g), that the Commission convene in closed session to discuss the litigation matters listed below. Commissioner Nowak seconded the motion. The motion was carried and the Commission went into closed session.

After a discussion in closed session, the Commission reconvened in open session.

FERC Docket No. EC14-126-000 – Wisconsin Energy Corporation and Integrys Energy Group, Inc.

Joint Application for Authorization of Disposition of Jurisdictional Assets and Merger under FPA Section 203 of Wisconsin Energy Corporation and Integrys Energy Group, Inc.

The Commission approved the filing of a “doc-less” intervention with the Federal Energy Regulatory Commission (FERC) in this docket, consistent with its discussion.

FERC Docket No. EL14-103-000 – Tilden Mining Company L.C. and Empire Iron Mining Partnership v. Midcontinent Independent System Operator, Inc., and Wisconsin Electric Power Company

Complaint of Tilden Mining Company L.C. and Empire Iron Mining Partnership Against MISO and WEPCO

FERC Docket No. EL14-104-000 – Michigan Public Service Commission v. North American Electric Reliability Corporation and Wisconsin Electric Power Company

Complaint of the Michigan Public Service Commission Against NERC and WEPCO

The Commission approved the filing of a Motion to Intervene and Comments with FERC in these dockets, consistent with its discussion.

The Commission delegated final review and approval of the Motion to Intervene to the chief legal counsel prior to filing with FERC.

The Commission adjourned the meeting at 11:13 a.m.

Sandra J. Paske
Secretary to the Commission